

# Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 E. 42<sup>nd</sup> Street, Suite 2020  
New York, New York 10165

Telephone: (212) 317-1200  
Facsimile: (212) 317-1620

ctucker@faillacelaw.com

December 17, 2020

**VIA ECF**

Honorable John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
Courtroom: 14A  
500 Pearl St.  
New York, NY 10007-1312

The Clerk is directed to transfer this case to the Eastern District of New York pursuant to 28 U.S.C. § 1406.

**SO ORDERED**

December 18, 2020  
New York, NY

/s/ John G. Koeltl  
John G. Koeltl  
U.S.D.J

Re: Baudilio Ixqueptap et al v. Dera Restaurant, Inc. et al  
1:20-cv-10254-AT

Your Honor:

This office represents Plaintiff in the above-named action. We submit this letter in response to the Court's Order dated December 10, 2020. Dkt. No. 9.

We respectfully submit that due to a filing error this action was filed in the Southern District. It should have been filed in the Eastern District. We consent to the Court's transfer of this action to the United States District Court for the Eastern District of New York

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Clifford R. Tucker

Clifford R. Tucker

MICHAEL FAILLACE & ASSOCIATES, P.C.

Attorneys for the Plaintiffs